

**RECESSED MEETING
MARCH 27, 2003**

The Ashland Board of Commissioners met in Recessed Session in the Commissioners' Chambers, City Building, Ashland, Kentucky, on Thursday, March 27, 2003, at the hour of 10:00 AM. Those present were Commissioners: Larry Branham, Larry Brown, Don Maxwell and Mayor Stephen E. Gilmore, who presided. Absent: Commissioner Kevin Gunderson. Also present were: William H. Fisher, Jr., City Manager; Richard W. Martin, Corporation Counsel; Deborah Musser, City Clerk; Mark Osborne, Fire Chief; Tom Kelley, Chief of Police; Tony Grubb, Finance Director; Steve Corbitt, Director of Public Services; Jim Shaw, Director of Planning and Community Development; Marion Russell, Assistant Director of Public Services; Greg Rice, Safety/Risk/Insurance Manager; and Reporters.

AGENDA

City Manager Fisher presented the agenda of March 27, 2003. Motion was made by Branham, seconded by Brown, to receive and file the agenda. Upon roll call, voting aye were Commissioners Branham, Brown, Maxwell and Mayor Gilmore. Nay - none. Motion passed.

OLD BUSINESS

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 36, 2003

AN ORDINANCE OF THE CITY OF ASHLAND,
KENTUCKY, AUTHORIZING STEPHEN E. GILMORE,
MAYOR, TO EXECUTE AN ADDENDUM TO THE
CONTRACT BETWEEN THE CITY OF ASHLAND
AND WILBUR SMITH ASSOCIATES, INC. AS
CONSULTANTS FOR THE PREPARATION AND
UPDATE OF THE COMPREHENSIVE PLAN FOR THE
DEPARTMENT OF PLANNING AND COMMUNITY
DEVELOPMENT ALLOWING FOR A TRAFFIC
IMPACT ANALYSIS FOR THE ASHLAND TOWN
CENTER MALL.

* * * * *

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Stephen E. Gilmore, Mayor, be and is hereby authorized to execute an addendum to the contract between the City of Ashland, Kentucky, and Wilbur Smith Associates, Inc. as consultants for the preparation and update of the Comprehensive Plan for the Department of Planning and Community Development allowing for a traffic impact analysis for the Ashland Town Center Mall. A copy of said addendum is attached hereto and made a part hereof by reference.

SECTION 2. All ordinances of the City of Ashland and any parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 3. This ordinance shall be in full force and effect from and after its adoption, readoption and publication, as required by law.

SECTION 4. It is hereby authorized that publication of this ordinance be in summary form.

/s/STEPHEN E. GILMORE
MAYOR

ATTEST:

/s/DEBORAH MUSSER
CITY CLERK

RECESSED MEETING MARCH 27, 2003
ORDINANCE NO. 36, 2003 CONTINUED

ADOPTED BY THE BOARD OF COMMISSIONERS: March 6, 2003
READOPTED BY THE BOARD OF COMMISSIONERS: March 27, 2003
PUBLISHED:

MOTION

Motion was made by Brown, seconded by Branham, to adopt Ordinance No. 36, 2003, at this its second reading. Upon roll call, voting aye were Commissioners Branham, Brown, Maxwell and Mayor Gilmore. Nay – none. Motion passed.

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 37, 2003

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF ASHLAND AND THE CANNONSBURG WATER DISTRICT REGARDING 1600' OF 4" WATER LINE ALONG GRANDVIEW LAKE ROAD.

* * * * *

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Stephen E. Gilmore, Mayor of the City of Ashland, Kentucky, is hereby authorized and directed to execute an Agreement between the City of Ashland and the Cannonsburg Water District regarding 1600' of 4" water line along Grandview Lake Road. A true copy of said agreement is attached hereto and made a part hereof by reference.

SECTION 2. All ordinances and parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 3. This ordinance shall be in full force and effect from and after its adoption, readoption and publication, as required by law.

SECTION 4. It is hereby authorized that publication of this ordinance be in summary form.

/s/STEPHEN E. GILMORE
MAYOR

ATTEST:

/s/DEBORAH MUSSER
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: March 20, 2003
READOPTED BY THE BOARD OF COMMISSIONERS: March 27, 2003
PUBLISHED:

MOTION

Motion was made by Branham, seconded by Brown, to adopt Ordinance No. 37, 2003, at this its second reading. Upon roll call, voting aye were Commissioners Branham, Brown, Maxwell and Mayor Gilmore. Nay – none. Motion passed.

RECESSED MEETING MARCH 27, 2003
ORDINANCE NO. 38, 2003

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 38, 2003

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, REPEALING ORDINANCE NO. 14, SERIES OF 2003, WHICH AUTHORIZED THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF ASHLAND AND GENERAL CHEMICAL CORP. FOR POLY-ALUMINUM CHLORIDE.

WHEREAS, General Chemical Corporation is unable to supply poly-aluminum chloride to the City of Ashland at this time;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Ordinance No. 14, Series of 2003, is hereby repealed.

SECTION 2. All ordinances and parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 3. This ordinance shall be in full force and effect from and after its adoption, readoption and publication, as required by law.

SECTION 4. It is hereby authorized that publication of this ordinance be in summary form.

/s/STEPHEN E. GILMORE
MAYOR

ATTEST:

/s/DEBORAH MUSSER
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS:	March 20, 2003
READOPTED BY THE BOARD OF COMMISSIONERS:	March 27, 2003
PUBLISHED:	

MOTION

Motion was made by Branham, seconded by Maxwell, to adopt Ordinance No. 38, 2003, at this its second reading. Upon roll call, voting aye were Commissioners Branham, Brown, Maxwell and Mayor Gilmore. Nay – none. Motion passed.

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 39, 2003

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO EXECUTE A CONTRACT WITH DELTA CHEMICAL CORP. FOR A ONE-YEAR SUPPLY OF POLY-ALUMINUM CHLORIDE (PAC) AT THE UNIT PRICES SPECIFIED IN THEIR BID FOR THE DEPARTMENT OF PUBLIC SERVICES, DIVISION OF WATER PRODUCTION.

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

RECESSED MEETING MARCH 27, 2003
ORDINANCE NO. 39, 2003 CONTINUED

SECTION 1. That Stephen E. Gilmore, Mayor, be and he is hereby authorized and directed to execute a contract between the City of Ashland, Kentucky and Delta Chemical Corp., 2601 Cannery Avenue, Baltimore, Maryland, to provide a one-year supply of aluminum chloride (PAC) in accordance with the bid of the company in an amount not to exceed those set forth in the attached contract. A copy of said contract is attached hereto and made a part hereof by reference.

SECTION 2. All ordinances and parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 3. This ordinance shall be in full force and effect from and after its adoption, readoption and publication, as required by law.

SECTION 4. It is hereby authorized that publication of this ordinance be in summary form.

/s/STEPHEN E. GILMORE
MAYOR

ATTEST:

/s/DEBORAH MUSSER
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS:	March 20, 2003
READOPTED BY THE BOARD OF COMMISSIONERS:	March 27, 2003
PUBLISHED:	

MOTION

Motion was made by Brown, seconded by Maxwell, to adopt Ordinance No. 39, 2003, at this its second reading. Upon roll call, voting aye were Commissioners Branham, Brown, Maxwell and Mayor Gilmore. Nay – none. Motion passed.

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 40, 2003

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING STEPHEN E. GILMORE, MAYOR, TO EXECUTE A CONTRACT BETWEEN THE CITY OF ASHLAND AND JMK ELECTRIC CO., INC. FOR THE PURCHASE AND INSTALLATION OF HOLOPHANE LIGHTING FOR THE SOUTH ASHLAND BUSINESS DISTRICT FOR THE DEPARTMENT OF PUBLIC SERVICES.

* * * * *

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Stephen E. Gilmore, Mayor of the City of Ashland, Kentucky be and is hereby authorized to execute a contract between the City of Ashland, Kentucky, and JMK Electric Co., Inc. for the purchase and installation of holophane lighting for the South Ashland Business District for the Department of Public Services. A copy of said contract is attached hereto and made a part hereof by reference.

SECTION 2. All ordinances of the City of Ashland and any parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 3. This ordinance shall be in full force and effect from and after its adoption, readoption and publication, as required by law.

SECTION 4. It is hereby authorized that publication of this ordinance be in summary form.

RECESSED MEETING MARCH 27, 2003
ORDINANCE NO. 40, 2003 CONTINUED

/s/STEPHEN E. GILMORE
MAYOR

ATTEST:

/s/DEBORAH MUSSER
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: March 20, 2003
READOPTED BY THE BOARD OF COMMISSIONERS: March 27, 2003
PUBLISHED:

MOTION

Motion was made by Branham, seconded by Maxwell, to adopt Ordinance No. 40, 2003, at this its second reading. Upon roll call, voting aye were Commissioners Branham, Brown, Maxwell and Mayor Gilmore. Nay – none. Motion passed.

SECOND READING & FINAL ADOPTION

ORDINANCE NO. 41, 2003

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF ASHLAND/ASHLAND MAIN STREET PROGRAM AND SCOTT SEWELL D/B/A ECLIPSE COMMUNICATIONS REGARDING THE DOWNTOWN ASHLAND MARKET ANALYSIS PROJECT.

* * * * *

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That Stephen E. Gilmore, Mayor of the City of Ashland, Kentucky, is hereby authorized and directed to execute an Agreement between the City of Ashland/Ashland Main Street Program and Scott Sewell d/b/a Eclipse Communications regarding the Downtown Ashland Market Analysis Project. A true copy of said agreement is attached hereto and made a part hereof by reference.

SECTION 2. All ordinances and parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 3. This ordinance shall be in full force and effect from and after its adoption, readoption and publication, as required by law.

SECTION 4. It is hereby authorized that publication of this ordinance be in summary form.

/s/STEPHEN E. GILMORE
MAYOR

ATTEST:

/s/DEBORAH MUSSER
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: March 20, 2003
READOPTED BY THE BOARD OF COMMISSIONERS: March 27, 2003
PUBLISHED:

RECESSED MEETING MARCH 27, 2003
ORDINANCE NO. 41, 2003 CONTINUED

MOTION

Motion was made by Branham, seconded by Brown, to adopt Ordinance No. 41, 2003, at this its second reading. Upon roll call, voting aye were Commissioners Branham, Brown, Maxwell and Mayor Gilmore. Nay – none. Motion passed.

COMMISSIONER GUNDERSON ARRIVED

TABLED

ORDINANCE NO. _____, 2003

AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, AUTHORIZING AND DIRECTING STEPHEN E. GILMORE, MAYOR, TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF ASHLAND AND JOHN B. CHRISTIE REGARDING THE LEASING OF PARKING SPACES NORTH OF THE FLOODWALL AND WEST OF THE DEPOT PROPERTY AND REPEALING ORDINANCE NO. 100, SERIES OF 2002.

MOTION

Motion was made by Brown, seconded by Branham, to adopt Ordinance No. _____, 2003, at this its first reading.

DISCUSSION

Commissioner Maxwell distributed copies of the lease agreement between John Christie and the State which was dated December 2001. There was discussion about the \$7.00 rental rate being too low; terms of the lease; the 30 day notice from the City on revocation not being approved by the State; other parking options such as the parking garage and other pertinent issues. City Manager Fisher informed the Commission the parking garage was not open 24/7 and the price would be \$10 since there would be one payee instead of individuals for which the rate is \$15.00. He was instructed to discuss the 24 hr/7 day requirement and length of the lease agreement with the State.

MOTION TO TABLE

Motion was made by Branham, seconded by Maxwell, to table Ordinance No. _____, 2003, until the regular meeting to be held on April 3. Upon roll call, voting aye were Commissioners Branham, Brown, Gunderson, Maxwell and Mayor Gilmore. Nay - none. Motion passed.

WORK SESSION

Paul Combs Report – Copies of the proposed policies and procedures were distributed. Paul Combs discussed Part I. Statement of Purpose; the work of the personnel committee on Part II. Employment Process and the recommended changes from the current process; and Part III. Conditions of Employment.

RECESSED MEETING MARCH 27, 2003
ADJOURNMENT

ADJOURNMENT

Mayor Gilmore declared the meeting adjourned at 12:40 PM.

STEPHEN E. GILMORE
MAYOR

ATTEST:

DEBORAH MUSSER
CITY CLERK